

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

RICHARD JIMENEZ-PEREZ  
a/k/a "Milton Delgado,"  
a/k/a "Javier Ramirez-Santiago,"  
  
Defendant.

CONSENT ORDER OF  
FORFEITURE

S14 10 Cr. 905 (LTS)

USDC SDNY  
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WHEREAS, on or about July 19, 2011, RICHARD JIMENEZ-PEREZ, a/k/a "Milton Delgado," a/k/a "Javier Ramirez-Santiago," (the "defendant"), was charged in a six-count superseding Information, S14 10 Cr. 905 (LTS) (the "Information"), with conspiracy to launder money, in violation of Title 18, United States Code, Section 1956(h) (Count One); conspiracy to distribute and possess with intent to distribute a controlled substance involving 1,000 kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A) (Count Two); conspiracy to distribute a controlled substance involving 5 kilograms and more of cocaine, in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A) (Count Three); eluding immigration authorities upon entering the United States, in violation of Title 8, United States Code, Section 1325(a) (Count Four); making false representations to immigration authorities upon entering the United States, in violation of Title 8, United States

Code, Section 1325(a) (Count Five); and possessing of false identification documents with the intent to defraud the United States, in violation of Title 18, United States Code, Section 1028(a)(4) (Count Six).

WHEREAS, the Information included a forfeiture allegation, seeking forfeiture to the United States: (1) pursuant to Title 18, United States Code, Section 982(a)(1)(A), of all property, real and personal, involved in the offense and all property traceable to such property to the offense alleged in Count One of the Information; and (2) pursuant to Title 21, United States Code, Section 853, of any and all property constituting and derived from any proceeds obtained directly or indirectly as a result of the offenses and any and all property used and intended to be used in any manner and part to commit and to facilitate the commission of the controlled substances offenses alleged in Counts Two and Three of the Information;

WHEREAS, on or about July 19, 2011, the defendant pled guilty to all counts of the Information pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegations;

WHEREAS, the defendant consents to a money judgment in the amount of \$5,000,000 in United States currency, representing the proceeds obtained as a result of the offense charged.

IT IS HEREBY STIPULATED AND AGREED, by and between the

plaintiff, United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Amie N. Ely and Sarah E. McCallum, of counsel, and the defendant, and his counsel, M. Suzette Rivera, Esq., that:

1. As a result of the offenses charged in Counts One, Two, and Three of the Information, to which the defendant pled guilty, a money judgment in the amount of \$5,000,000 in United States currency (the "Money Judgment") shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Order of Forfeiture, this Order is final as to the defendant and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Custom and Border Protection, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. Upon execution of this Order of Forfeiture, and pursuant to 21 U.S.C. § 853, the United States Custom and Border Protection shall be authorized to deposit the payments on the Money

Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Rule 32.2(b) (3) of the Federal Rules of Criminal Procedure, upon entry of this Order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2 (e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney Sharon Cohen Levin, Chief of the Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

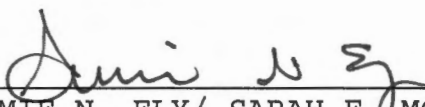


8. The signature pages of this Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for Plaintiff

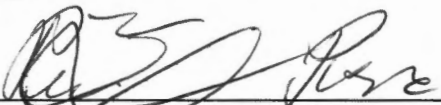
By:

  
AMIE N. ELY/ SARAH E. MCCALLUM  
Assistant United States Attorneys  
One St. Andrew's Plaza  
New York, NY 10007  
(212)637-2214/ 1033

9/6/13  
DATE

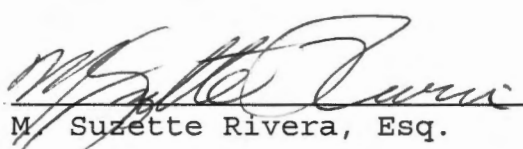
RICHARD JIMENEZ-PEREZ,  
DEFENDANT

By:

  
RICHARD JIMENEZ-PEREZ

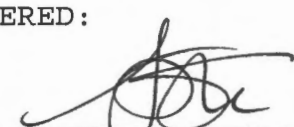
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DATE

By:

  
M. Suzette Rivera, Esq.

9/6/13  
DATE

SO ORDERED:

  
HONORABLE LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE

9/6/2013  
DATE